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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,344	12/06/2001	Yi Sik Chae	LT-0008	5265
34610	7590	02/25/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,344

Applicant(s)

CHAE, YI SIK

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3.12/02</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-11 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Takagi et al [takagi 5,881,231].

2. As per claim 1, Takagi discloses a method of providing a file transfer service (i.e.: information transfer system) through a mobile communication network [Takagi, the radio or wired networks, a mobile terminal, col 7 lines 7-42], comprising the steps of:

(a) storing a data file and transfer conditioning information thereof received from a first mobile terminal connected through the mobile communication network [Takagi, transfer and storage means, col 3 lines 34 et seq.];

(b) transmitting information for transferring the data file through the mobile communication network based on the stored transfer conditioning information [Takagi, transfer of the necessary information, transfer time, col 4 line 16 et seq]; and

(c) checking response information sent from a second mobile terminal answering to said information for transferring the data file, and transferring the data file to the second mobile terminal based on the checked result [Takagi, controlling the transfer of information from the second apparatus to the first apparatus according to the determined transfer time and network to be used, col 4 line 32 et seq].

3. As per claims 2,8 Takagi discloses said transfer conditioning information includes transfer blocking time zone information [Takagi, time zone, col 11 line 5 et seq; date and time, col 12 line 57 et seq; transfer condition, col 16 lines 38-65], identification information of the first and the second mobile terminal, and size information of the data file to transfer [Takagi, size of information, col 17 lines 22 et seq].

4. As per claim 3, Takagi discloses said information for transferring the data file includes size information of the data file to transfer [Takagi, size, col 7 line 43 et seq].

5. As per claim 4, Takagi discloses said information for transferring the data file further includes type information of the data file to transfer [Takagi, check the type of data from the attribute, col 14 line et seq].

6. As per claim 5, Takagi discloses said response information includes spare storage capacity information of a peripheral device connected to the second mobile terminal [the storage capacity, col 7 line 43 et seq; transfer condition, col 16 lines 38-65].

7. As per claim 6, Takagi discloses said step (c) determines whether or not to transmit the data file based on the response information and the stored transfer conditioning information [Takagi, controlling the transfer of information from the second apparatus to the first apparatus according to the determined transfer time and network to be used, col 4 line 32 et seq].

8. As per claim 7, Takagi discloses A method of providing a file transfer service through a mobile communication network, comprising the steps of: (a) storing a data file [Takagi, transfer and storage means, col 3 lines 34 et seq.] and transfer conditioning information thereof received from a first mobile terminal connected through the mobile communication network [Takagi, transfer condition, col 16 lines 38-65]; (b) selecting one among the stored data files based on the stored transfer conditioning information; and (c) transferring the selected data file to a second mobile terminal specified as destination of the selected file [Takagi, selecting the procedure for transfer criteria, col 17 line 7; col 18 lines 21-50; col 22 line 56 et seq].

9. As per claim 9 Takagi discloses said step (b) selects one data file whose transfer blocking time zone is closest to a current time [Takagi, current time, the next time zone, col 13 lines 5-20].

10. As per claim 10 Takagi discloses said transfer blocking time zone is set to a time zone when voice traffic is normally congested as inherent feature of scheduled time.

11. As per claim 11 Takagi discloses said step (c) transmits another data file selected next based on the transfer conditioning information to a third mobile terminal specified as destination of the next selected file, if trials of making connection to the second mobile terminal are failed as inherent feature of scheduled future time.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142

A handwritten signature in black ink, appearing to read 'Thong Vu', with a long horizontal stroke extending to the right.